



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,222	07/01/2003	Eric J. Bradbery	P02049001	1221
27689	7590	06/28/2006	EXAMINER	
JOHN C. SMITH, ESQ. 2499 GLADES ROAD SUITE 113 BOCA RATON, FL 33431			LEE, CHEUKFAN	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/604,222	Applicant(s) BRADBERRY, ERIC J.	
	Examiner Cheukfan Lee	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-11, 13, 14 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 6, 12 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/1/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-20 are pending. Claims 1 and 18 are independent.

2. The drawings are objected to because of the following:

In Fig. 10, numeral "72" is used to designate two different elements, i.e., the Proximal bracket and transparent plate. See specification, paragraph 0070, line 12 and paragraph 0073, respectively. A numeral should be used to designate only one element in the drawings.

3. The abstract is objected because of the following:

Line 1 of the abstract, "reading device that which" should amended accordingly;
and

Line 5, "a camera" should be changed to either – the camera – or – the video camera – in order to refer to "a video camera" of line 2, unless "a camera" is a different camera.

4. It is noted in the specification that minor errors such as those listed below occur throughout the specification viewed at the PTO. Please check for such minor errors throughout the specification and make appropriate correction.

Paragraph 0007, line 13, "user□s", which should read – user's --;

Paragraph 0026, line 9, "viewer□s", which should read – viewer's --; and

Paragraph 0029, line 13, "individual□s", which should read – individual's --.

5. The specification is objected to because of the following minor informalities:

Listed below are some of the minor informalities in the specification.

Applicant should check for minor informalities throughout the specification.

Paragraph 0039, lines 11-12, "the document support tray 10" should read – the document support tray 2 – since 10 is used for designating another element in Fig. 3;

Paragraph 0040, lines 20 and 24, "10" should be changed to – 8 --;

Paragraph 0070, line 6, should "from word and forward" read – forward and backward --?

line 9, should "a transmission control of 42" read – a transmission control 42 --?

line 12, should "proximal bracket to 72" read – proximal bracket 72 --?

Paragraph 0071, line 4, "the lateral camera assembly support 6" should read – the lateral camera support assembly 6 – in order to be consistent; and

Paragraph 0073, line 2, "Transparently 72" should read – Transparent plate 72 --.

6. The following quotation of 37 CFR § 1.75(d)(1) is the basis of objection:

(d)(1) The claim or claims must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description. (See § 1.58(a)).

7. Claims 2-12 and 14-17 are objected to under 37 CFR § 1.75 as failing to conform to the invention as set forth in the remainder of the specification.

Claim 2, lines 1-2 recites "a lateral camera support assembly". Claim 3, line 2-3 recites "a lateral camera assembly support". Please note the order of words "support" and "assembly" in each of the terms.

According to claim 2 and claim 3, which depends on claim 2, "a lateral camera support assembly" of claim 2 comprises "a lateral motion control means", which comprises "a lateral camera assembly support". However, the specification seems to use these terms interchangeably to mean the same thing that is designated by numeral 6. Up to the paragraph before paragraph 0059 of the specification for describing at least Figs. 1-4 which show element 6, "lateral camera assembly support 6" has been used. For example, in paragraph 0050, lines 2-3, "The lateral camera assembly support 6 defines an aperture ...". However, starting from paragraph 0059 for describing Fig. 6, "lateral camera support assembly 6" is used. This "lateral camera support assembly 6" does not seem to be different for the 6 described so far because from the description on lines 11-13 of paragraph 0060, i.e., "The camera 7 is secured to the sliding camera support 8 which advances the camera along the aperture defined by lateral camera support assembly 6.", "the aperture" defined by this 6 is referring to "an aperture" defined by the "lateral camera assembly support 6" of paragraph 0050, lines 2-3 mentioned above. In this case, the "lateral camera support assembly" (recited in claim 2) comprises itself, the "lateral camera assembly support" (recited in claim 3).

The terminologies used in the claims should be consistent with their bases set forth in the specification.

Claims 3-12 and 14-17 are objected as being dependent on the objected claim 2.

8. Claims 1-20 are objected to because of the following:

In claim 1, line 3, "to a video camera" should read – a video camera --;

line 7, "can be" should be changed to a definite word – are – if the rest of the claim language following "can be" is intended definite claim limitation since "can be" means that the "portions" only can be input but are not necessarily input by the video camera; and

line 7, -- and – should be inserted before "means that".

In claim 2, line 7, "can be" should be changed to – is – for the reason given for claim 1, line 7 with respect to "can be".

In claim 3, line 6, "can input" should be changed to a definite word – inputs – for the reason given for claim 1, line 7 with respect to "can be";

line 7, "text from a document" should read – the text from the document – in order to refer to the bases "text" and "document" set forth in the claim; and

line 8, “can be” should be changed to a definite word – is – for the reason given for claim 1, line 7 with respect to “can be”.

In claim 4, line 4, “can be” should be changed to a definite word – is – for the reason given for claim 1, line 7 with respect to “can be”; and

line 5, “can control” should be changed to a definite word – controls – for the reason given for claim 1, line 7 with respect to “can be”.

In claim 5, line 2, “a lateral motion control means” should be changed to – the lateral motion control means – if the term is referring to the basis “lateral motion control means” set forth on lines 4-5 of claim 2 upon which claim 5 indirectly depends.

In claim 6, line 13, “can be” should be changed to a definite word – is – for the reason given for claim 1, line 7 with respect to “can be”.

In claim 7, lines 7 and 9, “can be” should be changed to a definite word – is – for the reason given for claim 1, line 7 with respect to “can be”.

In claim 8, lines 6 and 8, “can be” should be changed to a definite word – is – for the reason given for claim 1, line 7 with respect to “can be”.

In claim 9, lines 6 and 8, "can be" should be changed to a definite word – is – for the reason given for claim 1, line 7 with respect to "can be".

In claims 10-12, line 2, "can be" should be changed to a definite word – is – for the reason given for claim 1, line 7 with respect to "can be"; and

line 7, "can produce" should be changed to a definite word – produces – for the reason given for claim 1, line 7 with respect to "can be".

In claim 17, line 5, "closer" should read – closer to --.

In claim 18, line 3, "can be" should be changed to a definite word – is – for the reason given for claim 1, line 7 with respect to "can be".

Claims 13-16, 19, and 20 are objected to as being dependent on an objected claim.

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2625

10. Claims 1-5, 7-9, 13, 14, 16, 18, and 19, insofar as "a lateral camera support assembly" of claim 2, lines 1-2 and "a lateral camera assembly support" of claim 3, lines 2-3 are understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Reed et al. (U.S. Patent No. 6,965,412).

Regarding claim 1, Reed et al. discloses an enhanced reading device (Figs. 1 and 3) for reading documents, comprising a document support tray (stage 500) having a size suitable for supporting printed material (col. 2, lines 42-46), a video camera (300), positioned above the document support tray (500) and selectively movable such that video images of selectable portions of documents resting on the document support tray (500) are input by the camera (300), and means that output video data from the video camera (300) (Fig. 1, col. 2, lines 46-49). See Figs. 1-3, col. 2, line 38 to col. 3, line 52, and col. 4, lines 46-49.

Regarding claim 2, insofar as the claim is understood, Reed et al. discloses a camera support assembly (Figs. 1 and 3) comprising longitudinal motion control means (first motor 130, first set of parallel rods 102, first timing belt 134, second timing belts 136, up and down buttons 202 and 204 of control panel 200, etc.) for controlling longitudinal motion of the video camera (300) above the document support tray (stage 500) (left-right motion of the camera 300 in Fig. 1) (Figs. 1-5, col. 2, line 15 to col. 4, line 3), and lateral motion control means (second motor 128 connected to carriage 106, second set of parallel rods 104, mounting plates 122, belt 138, left and right buttons 206 and 208 of control panel 200, etc.) for controlling lateral motion of the video camera

Art Unit: 2625

(300) above the document support tray (500) (Figs. 1-3 and 6, col. 4, lines 3-9). The location of the video camera (300) is selectively located above the document support tray (500) (by the first and second motors 130 and 208 which are controlled by the up 202 and down 204 buttons and the left 206 and right 208 buttons of the control panel 200 in Figs. 1 and 2) (col. 2, line 66 to col. 3, line 13, col. 4, lines 19-32).

Regarding claim 3, insofar as the claim is understood, the lateral motion control means of Reed et al. (second motor 128, second set of parallel rods 104, mounting plates 122, belt 138, left and right buttons 206 and 208 of control panel 200, etc., in Figs. 1-3 and 6) discussed for claim 2 further comprises a lateral camera assembly support (carriage 106, parallel rods 104, mounting plates 122 in Figs. 3 and 6) having means (carriage 106, parallel rods 104, and mounting plates 122) to support the video camera (300), and means (second motor 128, belt 138, etc.) to move the video camera (300) laterally (Fig. 6) such that the video camera (300), when moving laterally across the document, inputs video images of at least a portion of a line of text in the document (Figs. 3 and 6, col. 4, lines 3-9 and 46-49, and col. 2, line 66 to col. 3, line 13). The text from the document is selectively input to the video camera (300).

Regarding claim 4, insofar as "the lateral camera assembly support" is understood, the longitudinal motion control means of Reed et al. (first motor 130, first set of parallel rods 102, first timing belt 134, second timing belts 136, up and down buttons 202 and 204 of control panel 200, etc.) for controlling longitudinal motion of the

video camera (300) above the document support tray (stage 500) (left-right motion of the camera 300 as viewed in Fig. 1) (Figs. 3-5, col. 2, line 15 to col. 4, line 3), discussed for claim 2, further comprises means (first motor 130, first timing belt 134, second timing belts 136) to longitudinally move the lateral camera assembly support (carriage 106, parallel rods 104, mounting plates 122, etc., in Fig. 3) such that the video camera (300) is moved from one line of text to another (Figs. 3-5, col. 3, line 15 to col. 4, line 3). With respect to the claimed limitation "from one line of text to another", to the extent of how "one line" is defined in the claim, since the movement of the video camera (300) in the longitudinal direction along the rods (104) is continuous, moving the camera (300) in this manner meets the claimed limitation "moved from one line to another".

Regarding claim 5, the longitudinal motion control means and the lateral motion control means discussed for claims 3 and 4, respectively, are independently controllable (by using the up, down, left, and right buttons 202, 204, 206, and 208 of the control panel 200 in Figs. 1 and 2 to control the first and second motors) (col. 2, line 66 to col. 3, line 13, col. 4, lines 19-32).

Regarding claim 7, the longitudinal motion control means (first motor 130, first set of parallel rods 102, first timing belt 134, second timing belts 136, up and down buttons 202 and 204 of control panel 200, etc.), discussed for claim 4, further comprises an electronic switch (202, 204) for controlling longitudinal motion of the lateral camera assembly support (carriage 106, parallel rods 104, mounting plates 122, etc., in Fig. 3),

and a longitudinal motor drive (first motor 130) to longitudinally move the lateral camera assembly support (carriage 106, parallel rods 104, mounting plates 122, etc., in Fig. 3), under control of the electronic switch (202, 204) (col. 4, lines 19-23, col. 2, line 66 to col. 3, line 13). With respect to the claimed limitation "from one line to another", see discussion for claim 4 with regard to "from one line to another".

Regarding claim 8, Reed et al. further discloses a lateral control electronic switch (206, 208 in Figs. 1 and 2) for controlling lateral motion of the camera (300) in the lateral camera assembly support (in a space defined by parallel rods 104 and mounting plates 122), and a lateral motor drive (second motor 128) to laterally move the camera (300) in the lateral camera assembly support (in the space defined by parallel rods 104 and mounting plates 122), under control of the electronic switch (206, 208) (Figs. 1-3 and 6, col. 4, lines 3-9 and 46-49, col. 2, line 66 to col. 3, line 13, col. 3, line 15 to col. 4, line 3).

Regarding claim 9, Reed et al. further discloses a lateral control electronic switch (206, 208 of control panel 200 in Figs. 1 and 2) for controlling lateral motion of the camera (300) in the lateral camera assembly support (in the space defined by parallel rods 104 and mounting plates 122), and a lateral motor drive (second motor 128) to laterally move the camera (300) in the lateral camera assembly support (in the space defined by parallel rods 104 and mounting plates 122), under control of the electronic

Art Unit: 2625

switch (206, 208 of control panel 200) (Figs. 1-3 and 6, col. 4, lines 3-9 and 46-49, col. 2, line 66 to col. 3, line 13, col. 3, line 15 to col. 4, line 3).

Regarding claims 13, 14 and 16, the video camera (300) comprises an auto-focusing function (col. 3, lines 27-29).

Claim 18 is rejected as being a method claim corresponding to the rejected apparatus claim 2, which is understood to include all limitations of claim 1 upon which claim 2 depends. Please refer to the discussions for claims 2 and 1 above. Further, with respect to the claim limitation "a monitor device which displays an enlarged image of the photographed text", see Reed et al., col. 3, lines 4-6.

Regarding claim 19, see Reed et al., col. 3, lines 27-29 for automatically focusing the camera (300).

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2625

12. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed et al. (U.S. Patent No. 6,965,412) in view of Koshiyouji et al. (U.S. Patent No. 4,893,196).

Regarding claims 10 and 11, Reed et al., discussed for claims 8 and 9 above upon which claims 10 and 11 depends, respectively, does not disclose a transparent panel removably placed over at least a portion of the document support tray (stage 500) as claimed. However, placing a transparent plate (60) over an original placed on an original table in an image reading device, in order to straighten up and smoothen the original is taught by Koshiyouji et al. (Fig. 8, col. 7, lines 4-11). According to the description at col. 7, lines 4-11, the transparent plate (60) has sufficient weight and sufficient transparencies as claimed.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the concept of Koshiyouji et al. to employ a removable transparent plate in the image reading device of Reed et al., as taught by Koshiyouji et al., in order to straighten and smoothen the original document.

13. Claims 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed et al. (U.S. Patent No. 6,965,412) in view of Fujioka et al. (U.S. Patent No. 5,610,720).

Regarding claim 17 and 20, Reed et al. discussed for claims 3 and 18 above does not disclose a lifting mechanism positioned under the document support tray (500) and having means to raise or lower the document support tray (500) such that the

Art Unit: 2625

document on the tray is moved closer to or farther from the camera (300), or means to move the printed document vertically to vary the distance between the document and the camera. However, the idea of employing such a lifting mechanism or distance varying device is not novel. Fujioka et al. discloses a lifting mechanism mounted on a base (6) of a document table unit (35) for lifting a document support tray (document table 1) on which a document to be scanned is placed. The document support tray (document table 1) is attached to the lifting mechanism. The document on the document support tray (1) is read or scanned is positioned below a scanning unit (200) in a scanning operation. The lifting mechanism raises or lowers the document support tray (1) such that the document on the tray (1) is moved closer to or farther away from the scanning unit (200). See Figs. 22 and 34, col. 19, line 1 to col. 20).

Fujioka et al. teaches the concept of employing a lifting mechanism for raising or lower a document support tray (document table 1) to a position closer to or farther away from the image reading unit. One of ordinary skill in the art would have recognized the benefit of mounting a document support tray lifting mechanism to the stage (500) of Reed et al. as a base of a document table unit or document stage, which is to move the document support tray closer to or farther away from the video camera (300).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the concept of Fujioka et al. to mount a lifting mechanism, having a document support tray such as the document table 1 of Fujioka et al. attach to the top portion thereon, to the document stage (500) of Reed et al. as a base of a

Art Unit: 2625

document support unit, in order to vary the distance between the document support tray and the camera (300).

14. Claims 6, 12 and 15 would be allowable if rewritten to overcome the objection(s) set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

15. The following is an examiner's statement of reasons for allowance:

Claim 6 would be allowable because the closest prior art of record Reed et al. does not teach the following limitations:

a transmission gear drive having first drive means and second drive means to control longitudinal movement and lateral movement of the video camera, respectively, and operable at a first position and at a second position to provide longitudinal motion control and lateral motion control, respectively, to the video camera;

a transmission control knob, and

a rotatable and longitudinally slidable drive shaft attached at its distal end to the transmission gear drive and at its proximal end to the control knob.

Claims 12 and 15 depend on claim 6 and would be allowable for the reason given for claim 6.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bevers et al. (U.S. Patent Application Publication No. US 2004/0036663 A1),
"System and method for an image reader with electronic travel"

Waterman (U.S. Patent No. 6,064,426), "Video magnification system"

Campell (U.S. Patent No. 5,687,943), "Apparatus for supporting a video camera and cable above a work surface"

Chan (U.S. Patent No. 6,791,600), "Video system with dual mode imaging"

Sears et al. (U.S. Patent No. 6,115,482), "Voice-output reading system with gesture-based navigation", Figs. 1a and 1b

Seakins et al. (WO 2005/101349 A1), "Image magnifier for the visually impaired"

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
May 19, 2006



Cheukfan Lee